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March 23, 2004 LB 1045

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Smith, to open on LB 1045.

SENATOR SMITH: Thank you, Mr. President and members. LB 1045 provides an infrastructure for what we call a "single event food vendor." Currently, there are events around the state that involve food vending that state policy, state regulation, does not accommodate. The accommodations that the state has right now is on the assumption that everyone out there is going to get a permit and operate in perpetuity or at least for a several instances case within a year, renew their license, and so forth. Let me point out right now and emphasize again later that LB 1045 does not relieve anyone from upholding the standards of the Pure Food Act. There are a lot of regulations and standards that are maintained within the Pure Food Act that will continue in this case. The operative part of this is that a single event food vendor shall mean a temporary food establishment that operates at no more than one event per calendar year for a period of no more than two days. And I am also speaking to the committee amendments. It goes on to, basically, exempt from the fee for someone falling into the category of single event food vendor. What you see around the state periodically are town celebrations that have a one- or two-day setup where there's a mom and pop or a family wants to add some variety to a food fair or what have you, and so they prepare their foods in a regulated environment to serve to the public. And so this would accommodate those situations that started out in the green copy with a \$20 fee. It was agreed upon that that fee really was not enough to cover the realities that exist, but it would have been more of an effort to process the fees than to just allow that exemption in a very limited and narrow case, meaning that, as I said before, the single event food vendor shall mean a temporary food establishment that operates at no more than one event per calendar year for a period of no more than two days. And you'll notice in the committee amendment, there is some cleanup language as well, striking some dated language and...but, again, I emphasize the fact that there are standards that exist in the Pure Food Act that are not waived and I think we can agree that we want standards maintained regardless of the size of the event or the frequency of the vendor performing their services. And